

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

HUBERT W. SAWYER, JR.

Plaintiff,

v.

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Defendant.

CIVIL ACTION

No. 08-2114-KHV

ORDER

Hubert W. Sawyer, Jr. appeals the final decision of the Commissioner of Social Security to deny childhood disability benefits and supplemental security income. On February 18, 2009, Magistrate Judge Donald W. Bostwick recommended that the Commissioner's decision be reversed and that this case be remanded pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further proceedings. See Report And Recommendation (Doc. #16). The deadline for written objections to the report and recommendation was March 4, 2009. See Rules 72(a) and 6(a), Fed. R. Civ. P. The parties have not objected. The Court therefore adopts the Report And Recommendation (Doc. #16) in its entirety.

IT IS THEREFORE ORDERED that the Commissioner's decision be and hereby is **REVERSED**. This case is **REMANDED** pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with the Report And Recommendation (Doc. #16) filed February 18, 2009.

Dated this 11th day of March, 2009, at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge